

**State of California  
Office of Administrative Law**

**B V N P T**  
**2012 MAY -7 PM 4: 39**

**In re:**  
**Board of Vocational Nursing and Psychiatric  
Technicians**

**NOTICE OF APPROVAL OF REGULATORY  
ACTION**

**Regulatory Action:**

**Government Code Section 11349.3**

**Title 16, California Code of Regulations**

**OAL File No. 2012-0323-02 S**

**Adopt sections:** 2509, 2518.8, 2524.1, 2568,  
2576.8, 2579.11

**Amend sections:** 2503, 2524.1 (renumber to  
2524.5), 2563, 2579.11  
(renumber to 2579.20)

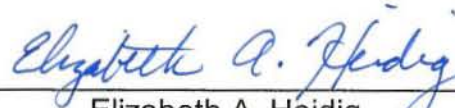
**Repeal sections:**

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This regulatory action by the Board of Vocational Nursing and Psychiatric Technicians (Board) revises four sections and adopts six sections in Title 16 of the California Code of Regulations. Half of them concern Vocational Nursing and half concern Psychiatric Technicians. This rulemaking is designed to enhance the board's mandate of consumer protection by allowing the Executive Officer or designee to approve settlement agreements for the revocation, surrender or interim suspension of a license. This rulemaking also authorizes the Board to order an applicant to submit to a physical or mental examination if there is evidence that the applicant may be unable to safely perform the duties and functions of a licensee. It also states that anyone (with a few minor exceptions) required to register as a sex offender pursuant to Penal Code section 290 shall be denied a license, have their license revoked or be denied reinstatement. In addition, the Board is amending the Public Records Act regulations to conform to existing law. Finally, this rulemaking also defines "unprofessional conduct" to include, among other things, the failure to report an indictment charging a felony, arrest or conviction of a licensee, the inclusion of provisions in civil dispute settlement agreements prohibiting a person from contacting, cooperating with, filing, or withdrawing a complaint with the Board and failure to provide lawfully requested documents or to cooperate with an investigation of the Board.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 6/3/2012.

Date: 5/4/2012

  
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Elizabeth A. Heidig  
Senior Counsel

For: DEBRA M. CORNEZ  
Director

Original: Teresa Bello-Jones  
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